

Request/Remarks/Arguments:

REQUEST

The Issue Fee for this application was paid on 03/23/2006, in response to a paper (Notice of Allowance) dated 03/08/2006. The application was withdrawn from issue in a paper (Notice of Withdrawal) dated 03/31/2006. **Applicants hereby request that this Issue Fee (\$1400) be applied toward payment of the Issue Fee for this application if said application is again held to be allowable. Applicants also request that if allowance is not forthcoming for this application, that this Issue Fee be refunded in total.**

REMARKS/ARGUMENTS

The title is amended at pages 1 and 18 (Abstract) to more accurately reflect the claims (method) under prosecution.

Claims 13-15 are cancelled and sole remaining new claims 17-28 added. Sole independent claims 17, 20 and 23 include limitations in issued claims 8, 10 and 1, respectively, of **U.S. Patent 6,828,514 B2**, the parent application (S.N. 10/354,000) of the instant application, but in method format (the parent's claims in structure format). These claims are thus deemed to include patentable subject matter and allowance thereof is urged. Each of these three independent claims further includes dependent claims similar to dependent claims 14 and 15, now cancelled. Because these claims depend from subject matter deemed patentable, these dependent claims are also considered allowable. Finally, new dependent claims 26-28 are appended from new independent claim 23, said claims including similar subject matter found in dependent claims 2, 4 and 5 in parent **U.S. Patent 6,828,514 B2**. Because these claims also depend from subject matter deemed patentable, these dependent claims are also considered allowable.

Applicants respectfully submit that the rejection under *35 USC 103 (a)*, based on **Wenzel (5,635,767)** is overcome by the amending and arguments provided herewith. Specifically, in addition to the reasons cited by the Examiner in the Office Action with respect to **Wenzel** (the failure of this patent to teach signal lines of each portion able to have signals pass there-along at different frequencies), this patent does not teach or suggest the added limitations found in the sole remaining claims (e.g., the different dielectric constants of claim 17 or the different loss factors of claim 20). Regarding the Examiner's comment on page 2 of the Action with respect to providing different multilayered portions with lines capable of passing signals at different frequencies, and more specifically that one of ordinary skill "would insure that this limitation does in fact occur" (without undue experimentation), Applicants are quick to respond that there must be some suggestion in the art to make such a modification, and that **Wenzel** (and all of the documents of record herein) are lacking in any such suggestion. That is, there is no justification for such a person to even conduct such experimentation. See, e.g., *In re Payne*, 606 F. 2d 303 (CCPA 1979). Accordingly, Applicants must also respectfully assert that the rejection under *35 USC 103 (a)* is in error. Withdrawal is again requested. None of the other documents of record herein, or in the parent application for that matter, taken singularly or in combination (including with **Wenzel**), teach or suggest the now claimed invention. Withdrawal of this rejection is urged.

The Application is deemed in condition for allowance, and such action on the part of the Examiner is respectfully urged. Should the Examiner believe, however, that minor differences may remain which, if overcome, will result in allowance of this Application and that said differences may be openly discussed in a telephone conversation, the Examiner is respectfully requested to phone the undersigned to discuss such differences and hopefully resolve same, thereby expediting prosecution of this Application.

Respectfully submitted,



By _____

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